

## **LISTING OF CLAIMS**

This listing of claims will replace all prior versions;

Claim 1 (previously amended): An improved round baler of the type having a hydraulic tailgate for releasing a cylindrical bale onto an ejection element, said tailgate and said ejection element each being hydraulically operable by separate piston and cylinder units which are sequentially controlled in parallel by a common pressurized fluid source via a two-way valve sequence; the improvement comprising:

an ejection element pivotally connected to a nonmoving cantilever support extending rearward from the rear axle or support element of the baler, and therefrom extending rearwardly to its distal end, said ejection element being pivotable between a dump position and a home position where the ejection element protects the balers tailgate from damage, and said element having a length long enough to hold a dumped bale sufficiently distant from the baler to allow the tailgate to close, while short enough to negate the need to be collapsible or to otherwise require additional adjustment.

Claim 2 (previously amended): The baler of claim 1 wherein the ejection element consists essentially of a ramp member affixed to a cantilever support, which support is connected to the axle.

Claim 3 (original): The baler of claim 2 wherein the ramp member, in the home position, is positioned to receive a discharged bale prior to pivoting to the dump position.